Remarks/Arguments:

Claims 3, 6 and 16-19 are pending and stand rejected.

By this Amendment, claims 3 and 6 are amended.

No new matter is added by the claim amendments. Support for the claim amendments can be found throughout the original specification and, for example, in the original specification at the paragraph spanning pages 6 and 7.

Rejection of Claims 3, 6 and 16-19 under 35 U.S.C. §103(a)

In the Office Action, at item 3, claims 3, 6 and 16-19 are rejected under 35 U.S.C. §103(a) as unpatentable over Kuwabara et al. (Japanese Patent No. JP 411015850A) using both the Derwent and JPO abstracts in view of Shaheen et al. (U.S. Patent No. 5,893,920) and in further view of Postel et al. (RFC0959, hereafter referred to as Postel), Bennett (Reliability of TCP/IP and the Internet) and McCarty (Linux Command Quick Reference).

Reconsideration is respectfully requested.

Claim 3

Claim 3 is directed to a data storage system, and recites:

> ... said information center checks whether or not said transmitted data has been stored, and the data deletion means selects an order of deletion of the data in said permanent cache means based on the predetermined period of the data in said permanent cache means.

That is, the order of deletion of data in said permanent cache means is based on the predetermined period (which is a period for storing the data in the permanent cache means).

Kuwabara Reference

In the Office Action, at pages 3 and 4, the Examiner acknowledges that based on the abstracts (the Derwent and JPO abstracts of Kuwabara) there is no explicit teaching of "data deletion means for automatically deleting pieces of data stored in said permanent cache means of said vehicle mounted terminal responsive to said permanent cache data means not being sufficient to store said permanent cache data, said pieces of data being deleted automatically

without user intervention to increase said available storage space in said permanent cache means of said vehicle mounted terminal to a sufficient amount of available storage space needed to store said transmitted data ...'" Applicants agree with the Examiner and further submit that Kuwabara, based on these abstracts, does not disclose or suggest "the data deletion means selects an order of deletion of said data in said permanent cache means based on the predetermined period of the data in said permanent cache means," as required by claim 3. Instead, the permanent cache of Kuwabara is used for information associated with requests that are frequent and in principle such information is not deleted. (See JPO version of Abstract of Kuwabara.) Thus, Kuwabara is not concerned with deletion of such information and, more particularly, Kuwabara is silent regarding details of such a deletion (including deletion order).

Shaheen Reference

Shaheen discloses that the cache manager attempts to remove cached files that are not "dirty" (e.g., that do not have pending modifications to server data). (See Shaheen at Col. 3, lines 5-10 and 31-35.) That is, Shaheen teaches automatic deletion by a cache manager of only clean (not "dirty") files. In Shaheen, "dirty" files (e.g., those files that have been modified) require user intervention prior to deletion. (See Shaheen at Col. 6, lines 17-24.) Further, Shaheen discloses that the size of replaceable files (i.e., clean files) is summed. If the summed size is greater than the file size of the files to be cached, a sufficient number of files is removed. (See Shaheen at Col. 7, lines 59-65.) Shaheen, however, is silent regarding the deletion order of files to be removed. This is because, Shaheen does not contemplate deletion order, but only whether sufficient space is available for files to be cached.

Postel, Bennett and McCarty References

The addition of Postel, Bennett and McCarty does not overcome the deficiencies of Kuwabara and Shaheen. This is because Postel, Bennett and McCarty do not disclose or suggest "the data deletion means selects an order of deletion of the data in said permanent cache means based on the predetermined period of the data in said permanent cache means," as required by claim 3. Postel, Bennett and McCarty, which the Examiner uses to teach elements of networking which are Linux, TCP/IP and FTP, are silent regarding, for example, "data deletion means for automatically deleting pieces of data," or the selection of "an order of deletion of the data in said permanent cache means based on the predetermined period of the data ...," as required by claim 3.

Accordingly, claim 3 is submitted to patentably distinguish over Kuwabara using both the Derwent and JPO abstracts in view of Shaheen in further view of Postel, Bennett and McCarty for at least the above-mentioned reasons. Withdrawal of the rejection and allowance of the claim is respectfully requested.

Claim 6

Claim 6, which includes similar but not identical features to those of claim 3, is submitted to patentably distinguish over Kuwabara using both the Derwent and JPO abstracts in view of Shaheen and in further view of Postel, Bennett and McCarty for at least similar reasons to those set forth regarding claim 3. Withdrawal of the rejection and allowance of the claim is respectfully requested.

Claims 16-19

Claims 16-19, which include all of the limitations of claim 3 or claim 6, are submitted to patentably distinguish over Kuwabara using both the Derwent and JPO abstracts in view of Shaheen in further view of Postel, Bennett and McCarty for at least the same reasons as claim 3 or claim 6. Withdrawal of the rejection and allowance of the claims is respectfully requested.

Conclusion

In view of the claim amendments and remarks, Applicants submit the application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,

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